

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-05479

Allan Jacobs, Claimant v. Legg Mason Wood Walker, Inc. and Stephen J. Berry, Respondents

ATTORNEYS:

Claimant, Allan Jacobs, ("Claimant"), appeared *pro se*, Perth Amboy, NJ.

Respondents, Legg Mason Wood Walker, Inc., and Stephen J. Berry, (collectively "Respondents"), appeared through in-house counsel Peter J. Ciliberti, Esq., Baltimore, MD.

NATURE OF DISPUTE: Customer v. Member and Associated Person.

DATE FILED: July 18, 2004.

CASE SUMMARY: Claimant alleged that Respondents breached their fiduciary duty by misrepresenting and omitting material facts relating to the offer and sale of Seligman Capital Fund stock. Claimant maintains as a result of Respondent's actions, his account suffered financial losses.

Claim Data

Claim: \$10,000.00

Filing Fees: Unspecified

Other: Unspecified

Award Data

Award: \$.00

Filing Fees: \$.00

Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Legg Mason Wood Walker, Inc. has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

Page Two
Award 04-05479

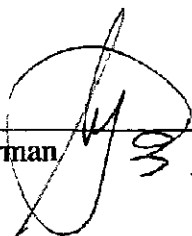
ARBITRATOR

Ann Pinciss Berman - Sole Public Arbitrator

AFFIRMATION

I, Ann Pinciss Berman, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.

Ann Pinciss Berman

A handwritten signature in dark ink, appearing to be 'APB', is written over a horizontal line.

03.21.05
Signature Date

April 1, 2005
Date of Service (For NASD-DR office use only)